

THE CALCUTTA JOURNAL.

OF

Politics and General Literature.

VOL. III.]

SATURDAY, JUNE 29. 1822

[No. CLV.]

SUMMARY OF NEWS.

—821—

Politics of Europe.

We continue the regular publication of the Debates in Parliament, which we shall do without interruption, until they are completed as far as they are in our possession.

The particulars of the Loss of the H. C. Ship THAMES, of which a short account was given in our Paper of the 26th instant, will be found in another page; and we have found room also for further Army Intelligence; and the Reply of Madame Reboul to the Petition of Mr. Loveday. The more elaborate Statement of the Daughter of this Gentleman, we hope to be able to publish on Monday.

One of the Asiatic Sheets is occupied with a Report of Proceedings in the Supreme Court, and Selections from the Indian Papers of this and Sister Presidencies, and the other is taken up by the first portion of the Index to the present Volume, which closes to-day, the remainder of which will be issued on Monday.

We had thrown together some remarks of the opinions entertained in England on the new law for the Regulation of the French Press, and the remarkable fitness and applicability of such opinions to the declared State of the Press in India, but we find that without excluding some of the Extracts prepared for the present Number they could not be included in it. We may revert to the subject, however, again.

We have before stated our objection to the *excessive* use of the latest Papers first, and then retrograding in date; and we retain the same opinion of its absurdity as before. The Debates will shew that we have those of the latest period in our possession, and while we use these for the Parliamentary proceedings, we shall not wholly overlook the earlier ones for miscellaneous information, and accordingly select from them the following paragraphs:—

London, January 9, 1822.—We learn that a deputation of the Farming Society of Ireland, with that amiable nobleman the Duke of Leinster at its head, attended at the Castle of Dublin on Friday last, and presented an address to the Lord Lieutenant. They claimed, under their charter, his Excellency's patronage, explained the objects of their national institution, lamented the obstacles to its complete success, which had been lately experienced from the limitation of its funds, under the "necessary system of general retrenchment," and hoped for the aid of the Lord Lieutenant in promoting its future efficacy. Lord Wellesley's answer deserves to be noticed, for the emphatic pledge which it affords of his Excellency's determination to adopt and prosecute, now that he has attained to power, that honourable course of public economy, which some years ago, when out of power, he declared to be indispensable to our welfare as a people. His Lordship's expression, when he condemned the extravagance of the Ministerial estimates for a peace establishment, was strong and memorable—"Parsimony is the panoply of peace." Our readers will see with pleasure, the correspondence which exists between the former language of the noble Marquis, and the principles which he still professes. While lamenting that the efforts of the Farming Society for the diffusion of industrious habits have been fettered by the unavoidable limitation of its funds, he adds as follows:—"But I cannot omit this opportunity of declaring, that it is not less my inclination than my bounden duty to give every aid to the progress of that wise and necessary system of general retrenchment which has been

adopted by his Majesty's Government and by Parliament, and which is as essential to the true dignity of the crown, as it is indispensably necessary for the security of the State, and for the interest and welfare of the people." Those words in the above passage which we have marked by Italics, contain a truth so obvious—so home and so unanswerable—that we are more amazed at the folly which could so long have overlooked its force, than at the disregard of public duty which has given such currency to the opposite notion, that every shilling which could be extracted from the country was a triumph to the King's Ministers. Let us hope henceforth for better things. Let us, until we are undeceived, at least indulge the belief that the doctrine now so plainly laid down by the head of the Irish Government is that which has been deliberately adopted, and will be faithfully adhered to, by his Excellency's fellow-labourers on this side of the water; and that the coalition with the rump of the Grenville party (for it is now said that Lord Grenville had no hand in the new arrangements), so ominous in its first aspect, was framed for no other purpose than to give a more decided vigour, extent, and éclat to the plans of frugality about to be pursued by Ministers, instead of enabling the old Cabinet, as was surmised by the uncharitable, to shut, with more pertinacious obstinacy, every door and avenue to economical reform.

Change in the mode of Living.—The official account of the produce of the Excise duties in the years 1821 and 1820, furnishes a curious exemplification of the change in the mode of living, rendered no doubt necessary by the pressure of the times. In those articles which are considered luxuries, there has been a very considerable decrease. The duty on wine is 8,620*l.* less this year than in the preceding; and the demand for foreign spirits has decreased so much, as to make a difference of 102,306*l.* between the duties of two years: tobacco and snuff, no slight sources of enjoyment to a large class of people, have been used with such comparative temperance as to produce a diminution of 123,251*l.* in the profits of the Excise from that source. As a set-off to these reductions, it appears that the tea-drinkers have contributed an addition of no less than 158,722*l.* to the revenue of the preceding year, while the drinkers of beer have supplied a quota of 65,760*l.* The comparative cheapness of British spirits have also created a demand for that beverage to the amount (in duty) of 42,364*l.* above the former year. It is somewhat curious, that the increase on these two articles of beer and British spirits is very nearly equal to the decrease in wine and foreign spirits. So that, perhaps, the balance in comfort, as well as in revenue, is pretty nearly equal. As for those who have sacrificed their taste for tobacco and snuff, we suppose they have sought consolation in tea; for here again the increase and decrease are nearly equal.—*Times.*

Mr. Henry Hunt.—It will be recollected that some months ago an action was brought against Mr. Henry Hunt, who is now a prisoner in Ilchester, for penalties to the amount of 200*l.* in consequence of his having sold roasted grain under the title of breakfast powder. These penalties were sued for and recovered by the Excise, in consequence of one of those revenue laws which are never known till they are felt, having made it penal to sell any thing which might be deemed, or might be used as a substitute for coffee. It was clearly proved, that in selling this article no imposition was practised; the powder had not been sold as coffee, nor had it been called by any such name; the whole body of the crime was, that the powder might be used as coffee, if any one chose to do so, in the same manner as any one might use

water instead of wine, or read a speech of Lord Londonderry, instead of Demosthenes. The existence of a law by which such an offence was created excited much astonishment at the time, and Sir R. Wilson called attention to the subject in the House of Commons. It was then reported in all the papers, and universally understood, that the Chancellor of the Exchequer had stated that it was not the intention of the Government to levy the penalties. We remember that we received it as a graceful symptom of some shame at the existence of a law rarely paralleled, even in the statutes to which financial rapacity has given birth. We see, however, that Mr. Hunt, in the 25th number of his Memoirs, says that the Sheriff of Somerset has given him notice, that he has a writ to levy this penalty, by the sale of his (Mr. Hunt's) property in that county!—*Traveller*.

Bordeaux, Dec. 23.—It is reported that three vessels, viz. the *Pontia*, Sellman, from this port to Charleston, and two others, said to be Dutch, also from hence, are totally lost, with their crews, on the coast of Archacon, at the bottom of the Bay of Biscay. The *Colon*, Tiger, bound to Guadaloupe, which was on shore at the entrance of the Gironde, has been got off. The *Hank*, Sauvignac, loading for Calcutta, has been driven from her moorings in the River, but brought up with little damage. We have had a succession of gales of wind, with thunder and lightning, and torrents of rain, and the storm is still raging, which makes us apprehend further disasters.

Parthenon.—We observe it mentioned, in an account of the Proceedings of the Anniversary Meeting of the Highland Society, on the 8th of January, that the Subscribers to the great Scottish national monument to be built on the Calton Hill, had unanimously resolved to adopt the plan for erecting a copy of the *PARTHENON*. This will greatly add to the picturesque beauties of that "romantic town."

Uncontrollable Tears.—At the Accession Celebration Dinner on Tuesday (Jan. 29) at Brighton, it was stated, on the authority of Mr. Barratt, his Majesty's Apothecary and Surgeon, that the King was so much affected at the recollection of his Royal father's death, at this particular period, that he felt too indisposed to appear in public. The following more minute report of that gentleman's statement is extracted from the Brighton Gazette:—"Mr. Barratt said he had the honour of waiting on the King early in the morning, and that he had found his Majesty too indisposed to be in the open air, without some risk, and that in consequence it had become his duty to endeavour to dissuade him. The cause of his Majesty's illness, the King himself had explained to him, by observing that though the present was a day on which his people rejoiced, because it marked his Accession to the Throne, yet it was a day, also, on which he (his Majesty) must ever have the paramount reflection, that his father had died: the uncontrollable tears of affection (said Mr. Barratt) glistened in his Majesty's eyes as he uttered the words. Notwithstanding the expectations of the town he was resolved not to disappoint, and his Majesty consequently had crossed the new road. The feelings of the company were again harmonized by Mr. Barratt observing—that the interruption given to the King's health would be but of temporary duration."

Smyrna.—It will be seen by the following details, contained in letters from Smyrna to the 28th of Nov. that some facts of importance have reached London to-day, which have not before been made public. That a Slavonian had been assassinated on the 26th of November, we have already heard from the French Papers; we were likewise told that the Slavonians in turn retaliated upon the Turks. This aggression, it seems, led to a general rising of the Turks upon the Slavonians. The engagement between the parties was very obstinate and bloody, and lasted from the 21st to the 23rd of November. Not less than 500 lives were lost on both sides. The Austrian Consul, in the first instance, appealed to the Pasha of Smyrna, the Slavonians being under the protection of Austria, but could obtain no satisfaction: the attack upon the Turks was therefore renewed with increased animosity. On the 26th of November, the British, Austrian, and Dutch Consuls drew up a remonstrance, and presented it to the Pasha. In this

document they stated, that as the representatives of civilized nations, they could not witness such barbarities, without claiming the interposition of the only authority competent to repress them; they therefore called upon the Pasha to use his power to put an end to the carnage without delay. The Pasha replied, that he was ready to adopt every means in his power to check the violence of the Turks; and, by his interference, tranquillity was ultimately restored on the 27th of November.—*Courier*.

Accouchement.—A married woman named Sarah Coot, but who has for some time been separated from her husband, and formerly a resident in this city, proving *en famille*, came from South Tarrant with the intent that her accouchement should take place here, but being discovered by the parish officers prior to the event taking place, she was obliged to return to the above place, and was actually delivered of two children, one a black boy, since dead, and the other a white girl.—*Exeter Paper*.

Oratorios.—The ORATORIOS commence to-morrow evening (Jan. 28) at Covent-garden Theatre, with an attraction that has never been surpassed. The music selected from Rossini's great work, *Moses in Egypt*, has undergone several rehearsals, and we hear that in point of splendour and effect it equals the most popular of his many beautiful compositions. Some of the best pieces are given from the *Messiah*, with a cast of unusual strength, and the *Miscellaneous Act* promises to be singularly rich in talent of the highest order.

Ice of Greenland.—From the extreme mildness of the winter it is now probable that the confectioners of London will be obliged to send a vessel for ice to Greenland, which was actually the case, some years ago.

Filial Respect.—The comic actor BRUNET, at Paris, who has a numerous family, never suffers his children to visit the theatre where he performs, lest by seeing and laughing at their father in the performance of ridiculous characters, they should insensibly lose the filial respect due from children to their parents.

The Pasha of Egypt.—The CONSTITUTIONNEL states, that MOHAMET ALI, the present Pasha or Viceroy of Egypt, is a native of Martinique, and brother to ALINE, afterwards the Sultana VALIDE, the mother of MAHMOUD, the present Grand Signior. He was born in that colony in or about 1763 or 1764, where his father was a field-officer of Militia. He and his sister embarked on board a merchant vessel for Marseilles, the latter to be placed at Saint Cyr, and the former on an appointment to be Sub-Lieutenant in the regiment de Bouillon. On their passage the vessel was taken by a pirate, and carried into Algiers. The young lady, who was very beautiful (and to whom, it is said, an old negress had predicted that she would become a Princess), was presented to the then Grand Signior, ABDUL HAMEM, and soon afterwards became his favourite Sultana. Her brother, in the mean time, obtained permission to serve under the orders of an Algerine Captain. At the desire of the Sultana, her brother, now called MOHAMET, was sent for Constantinople, and placed in the Collège in the Seraglio. She was delivered of MAHMOUD in 1784 whom MOHAMET was afterwards chiefly instrumental, at the head of 2,000 Albanians, in placing upon the throne. MOHAMET was soon afterwards appointed by his nephew, the GRAND SEIGNEUR, Pasha or Viceroy of Egypt. His sister, the Sultana VALIDE, died in 1817.

Semaphore Signal-house.—The new Semaphore Signal-house erecting upon the roof of the old Victualling Store, at the lower end of the High-street, Portsmouth, for the purpose of communicating with the shipping at Spithead and in the harbour, is now in a great state of forwardness. The single staff, which weighs about two tons, was hoisted up and fixed on Friday morning, and the building is expected to be completed the beginning of the year. A light is about to be erected at Southsea Castle, to further the objects of navigation. This a very judicious measure, and will materially assist making for the harbour in stormy weather. The mechanics of the Dock-yard are actively employed upon the Semaphore House to be erected at Lump's Fort. Part of the materials were this week sent to the Fort.—*Hampshire Chronicle*.

Madras Press.—The Hon. Leicester Stanhope has addressed a letter to the Editor of the Times in which he states that in the case of the late Queen, the Government of Madras authorised the publication of all that tended to criminate her Majesty but suppressed her defence—and that the Madras Press, thus debased, is under the Censorship of Mr. Secretary Wood, a person connected with the Marquis of Londonderry, and Candidate for a seat in Council.—*Glasgow Courier.*

Botany Bay Wool.—The following very handsome tribute to the manufacture of the West Riding of Yorkshire, produced from a species of wool lately introduced into this country, and grown in the colony of New South Wales, has been paid by his Majesty, to our meritorious and indefatigable townsman, Mr. Wm. Hirst, and conveyed to him through Mr. Commissioner Bigge:—

"Sir Benjamin Bloomfield presents his compliments to Mr. Commissioner Bigge, has had the honour to lay before his Majesty the specimen of cloth made by Mr. Wm. Hirst, of Leeds, of wool from the colony of New South Wales, which Mr. Bigge transmitted for that purpose; and his Majesty was pleased highly to admire the beauty and texture thereof, and to express his commands to Sir Benjamin to convey to Mr. Bigge his Majesty's acknowledgments of his attention. Sir B. Bloomfield has to request Mr. Bigge will have the goodness to inform him if an additional quantity of the said cloth can be procured in England.—Carlton House, Nov. 21, 1821."—*Leeds Independent.*

Tickets for Parliament.—It has already been stated that the arrangement for the opening of the approaching Parliament will be under the sole control of the Lord Great Chamberlain of England, Lord Gwydyr; hence much of the confusion that has heretofore arisen on like occasions, from the improper issues of tickets by officers connected with the House of Lords, &c., will be prevented; and yesterday his Lordship's Secretary, Dorset Fellowes, Esq., commenced the issues of tickets from the Lord Great Chamberlain's Office in the House of Lords. Those for the accommodation of the several branches of the Royal Family, the Peers and Peeresses, the Foreign Ambassadors and other persons of distinction were first sent off. They are for what is termed the body of the House, the grand chamber, in which the splendid new Throne is stationed, and where the Peers of the Realm carry on their debates. These tickets are on a pink ground with the Lord Great Chamberlain's Seal of Office stamped at the upper and left hand corner.

The tickets for the several places are of different colours, and thus the various parties may be forwarded to their proper stations with the completest promptitude. To admit "strangers" below the bar, the cards are of a like shape and similarly stamped, but are on a yellow ground. Of these cards there have been a liberal issue to individuals connected with the public Press of the country, and attention will be paid to the comfortable accommodation of these gentlemen. It reflects great credit on the Lord Great Chamberlain and his Secretary, to find them liberally pursuing that course which was adopted at the late Coronation—affording all possible facilities to Gentlemen connected with the Newspaper Press. They who fear it are the only persons who pretend to treat it with disrespect.

For the old House of Lords, through which (as well as the Painted Chamber) his Majesty must pass to the Royal Robing-room, and thence into the House of Peers, to deliver the Speech, the cards are Pomona or French green.—For the Painted Chamber, &c. other colours are adopted, so that the greatest regularity may be preserved, as the company can be instantaneously forwarded to the allotted places. This being the first time of his Majesty's meeting the Parliament after the Coronation, on which occasion the King will appear wearing the Crown; and as there will be uncommon anxiety, owing to the state of the country, to hear the contents of the Speech from the Throne on the opening of Parliament, the attendance will be immense, as is known by the application for tickets that have already been made.

Military Intelligence.

WAR-OFFICE, FEBRUARY 1, 1822.

1st Regiment of Life Guards, Lieutenant Honourable Arthur C. Legge to be Captain, by purchase, vice Martin, promoted in the 22d Foot. Dated 17th January 1822. Cornet and Sub-Lieutenant Charles Gore to be Lieutenant, by purchase, vice Legge. Dated 17th January, 1822. Lord Francis Leveson Gower to be Cornet and Sub-Lieutenant, by purchase, vice Gore. Dated 17th January, 1822.

4th Regiment of Dragoon Guards, Richard Bolton, Gent. to be Cornet, by purchase, vice Hunter, promoted. Dated 24th January 1822.

9th Regiment of Light Dragoons, Surgeon Anthony Ciesar Colclough, from half-pay 22d Light Dragoons, to be Surgeon, vice James O'Connor, who retires upon half-pay. Dated 17th January 1822.

1st Regiment of Foot, Ensign Colin Campbell to be Lieutenant, without purchase, vice W. Wetherall deceased. Dated 23d June 1821. Ensign William Henry Church, from half-pay of the Regiment, to be Ensign, vice Campbell. Dated 25th December 1821.

2d Ditto, Captain John Rutledge Kell, from half-pay of the Regiment, to be Captain, vice Charles Boyde, who exchanges, receiving the difference. Dated 24th January 1822.

To be Lieutenants without purchase. Ensign John Mulkern, vice Strangeways, deceased. Dated 12th January 1821.

Ensign Arnot O'Donnel vice Hart, promoted. Dated 5th May 1821.

To be Ensigns, without purchase.—Ensign William Amsinck, from half-pay 92d Foot, vice Mulkern. Dated 25th December 1821. Ensign William Foley, late of the 43th Foot, vice O'Donnell. Dated 25th December 1821.

67th Regiment of Foot, Lieutenant Robert M'Nair, from the 10th Foot, to be Lieutenant, vice Broom, who exchanges. Dated 24th January 1822.

69th Ditto, Gentleman Cadet Honourable Richard Hart, from the Royal Military College, to be Ensign by purchase vice Wetherall, promoted in the 42d Foot. Dated 10th January 1822.

84th Ditto, Lieutenant Henry William Seymour Stewart, from half-pay 68d Foot, to be Lieutenant, vice George Charles Smith, who exchanges, receiving the difference. Dated 24th January 1822.

87th Ditto, To be Lieutenant without purchase. Ensign John Shipp, vice Bowes, appointed Adjutant. Dated 20th October 1820. Ensign Henry Spaight, vice Dunlevie, deceased. Dated 25th December 1821.

To be Ensign, Ensign Robert Mends, from half-pay Royal African Corps, vice Spaight. Dated 25th December 1821.

89th Ditto, Ensign Charles Gerrard King to be Lieutenant without purchase, vice Chambers, deceased. Dated 3d June, 1820. Thomas Prendergast, Gentleman to be Ensign, vice King. Dated 17th October 1820.

Rifle Brigade, Howe Courtney Daniel, Gentleman to be Second Lieutenant, by purchase, vice Havelock, promoted in the 21st Foot. Dated 16th November 1821.

1st Royal Veteran Battalion. To be Captains, Captain Thomas Carter, from the late 2d Royal Veteran Battalion. Dated 25th December 1821. Captain Robert Mackrell, from the late 9th Royal Veteran Battalion. Dated 25th December 1821.

To be Ensigns, Ensign John Mackay, from the late 3d Royal Veteran Battalion. Dated 25th December 1821. Ensign William Buchanan, from the late 9th Royal Veteran Battalion. Dated 25th December 1821.

2d Royal Veteran Battalion. Captain Thomas M'Neill, from the late 6th Royal Veteran Battalion, to be Captain. Dated 25th December 1821.

3d Royal Veteran Battalion, Ensign George Boreham, from the late 4th Royal Veteran Battalion, to be Ensign. Dated 25th December 1821. Quartermaster William Hasset Yellon to be Adjutant. Dated 24th January 1822.

DEATHS.

On the 3d of February, at his house, Michael's-place, Brompton, John Chambers, Esq. aged 42.

On the 7th of February, Mr. Wroughton, the actor, in Howland-street, at the advanced aged of 74 years.

At Greenwich, on the 3d of February, Mrs. Garrick, relict of George Garrick, Esq. brother to the celebrated David Garrick.

On the 2d of February, Blanch, posthumous and only child of the late Charles A. Stothard, Esq.

Loss of the Thames East Indiaman.

It is our painful duty to record the loss of the Honourable Company's Ship the *THAMES*, Captain Heaviside, bound to Benccalen and China, with a general cargo of great value. The *THAMES* was nearly a new ship, of 1350 tons burden; had been only one voyage before. Mr. Henry Barry, the purser of the ship, arrived late on Sunday night at the India House, with the melancholy intelligence, and the following interesting particulars have been communicated to us:—

The *THAMES* left the Downs at twelve o'clock on Wednesday last, with a smart breeze from the S. W. and continued beating to the westward with fine weather, until Saturday at noon, when she weathered Beachy Head, the wind then blowing a brisk gale. As night approached the gale increased, and the wind still setting from the S. W. strong apprehensions were entertained that the ship would be driven upon a lee shore.

To prevent this, every effort that seamanship could devise was made, and the strongest endeavours were made to keep an offing, but to no purpose; the gale continued to increase, and as darkness came on, it blew a complete hurricane. Finding the ship making fast towards that dreadful shore which has so often proved fatal to mariners, an order was given to commence firing signals of distress, and an incessant firing was from that time kept up, but such was the state of the elements, that all idea of assistance from the shore was soon abandoned as hopeless.

At length about 12 o'clock, the ship struck on a rock very near the Head, but she floated from thence, and drifted round near to the town of Eastbourne between the Round-house, and the Martello Tower, where she again struck, and got quite ashore. This was soon after two o'clock on Sunday morning; and from that time until half-past nine the ship continued to beat with tremendous violence against the shore, and every succeeding wave was expected to shatter her to pieces. The same incessant firing was kept up; lights were very speedily shown from the shore; and in a short time the beach was covered with people, all anxious to assist in the preservation of the crew, but unfortunately without the power of doing so at that time. Not long after the ship struck, her main mast went by the board, carrying with it four of the crew, and in the course of the night the fore and main masts followed, and seven more of the crew were washed over board. At day-light a scene presented itself which will not soon be forgotten by those who had the misfortune to witness it. This fine ship, which seemed when she sailed as though she would bid defiance to wind and ocean, was now lying on the sand, totally dismantled, and striking with a violence which threatened to stave her to pieces, and her crew seen crowded upon the deck, looking anxiously towards the shore for assistance, and expecting every moment to be overwhelmed by the waves which were breaking upon them with undiminished force. At this time several hundred people had collected on the beach, and the ship was so near the shore, that it seemed to those on board as though they could almost leap from her side to the dry land. At length, the only boat which could be found large enough to attempt to launch in this tremendous surf was brought to the spot, and a midshipman (we have not learned his name) of the Preventive Service, and six seamen, in a moment volunteered their services to attempt to reach the ship. Several successive efforts were made to launch her, but she was each time swamped, and her gallant little crew washed ashore. Still, however, undismayed, they made another attempt, and succeeded in getting a most without the breakers, where a sea took her starboard bow, and upset her. The six seamen reached the shore; but we lament to state, the gallant young officer, who so fearlessly had risked his life for the chance of rendering assistance to his fellow men in distress, fell a victim to his undaunted courage and humanity, and the ship's company, as well as those on shore, saw him struggling with the waves until his strength was exhausted, and he sunk beneath them.

Captain Manby's celebrated apparatus for the preservation of lives, which at Eastbourne is kept under the command of Mr. Hamilton, the Collector of Customs for the port, was at length brought into action, and a rope being thrown on board the ship and made fast, the whole remaining of the ship's company, together with Major and Mrs. M'Innes, and her female servant (passengers,) were set safe on shore; but without saving a single thing except the clothes which they had on their backs. They were all completely worn out with fatigue and anxiety, and the passengers were conveyed as speedily as possible to the nearest inn. The Officers and crew remained near the spot in the hope of being able to save some part of the cargo, but it was much feared that the tide which was then fast ebbing, would at its return completely destroy the ship. In this state of things Mr. Barry left Eastbourne for the India House.

It was next to a miracle that the ship held together so long, and had she not been nearly new, and of the strongest construction, she must have gone to pieces hours before the crew were released. Had that been the case, every individual on board must have perished.

Accounts have been received since the above was written, and hopes are entertained of floating the *THAMES* off.

To the Editor of the Courier.

Sir,

Having just seen the statement contained in your Paper of yesterday, relative to the loss of the East India Company's Ship *THAMES*, though the leading circumstances attending that disaster appear to have been conveyed with as much accuracy as could have been looked for in a report at second hand, which your's purports to be, yet as a sharer in the calamity, and in the deliverance effected for us by the goodness of Providence, I feel anxious to add to that part of the statement which refers to the first efforts used for our relief, and to bear the testimony of praise so justly due to those generous men, some of whom sacrificed, and all risked their own lives, to save ours. Among the first was, I lament to think, Mr. Smith, Midshipman, Royal Navy, who, knowing we were safe if we could only be apprised that at low water the tide would leave the ship dry, and impelled by the desire to prevent any one from using premature endeavours to escape the perils with which all regarded themselves as encompassed, braved the terrors of the surf, and, as your informant states, fell a sacrifice to his generous ardour. The first who actually reached us was his Commanding Officer, Lieutenant Chappell, of the Royal Navy, who, animated by the same benevolent feeling, but regulated by a judgement more experienced and mature, adopted means better suited to the attainment of his object, and seizing a more favorable opportunity of approaching the wreck, near enough to be within reach of a rope, after several laborious and fruitless efforts, and under imminent risk of being crushed to death, or being plunged into the deep, at length attained our deck, and apprised us of our comparative security.

About this time a rope having been passed over the surf, a hawser was fastened on the beach, on which was rigged a sliding grating large enough to admit two persons, and it was by means of this apparatus, and not Captain Manby's, however excellent, had it been then available, the first attempts at landing were effected, and that Lieutenant Chappell conveyed Mrs. M'Innes over the surf; afterwards conducting her to his own house, where she was received by Mrs. Chappell with the most humane tenderness, until being recruited by a few hours repose, she proceeded to the house of Major N. Willard, in whose family she continues to experience every attention which the most delicate, considerate, and cordial hospitality can suggest.

I am happy further to add, in emendation of the account first communicated to you, that the whole of the cargo, although in a some what damaged state, is in the course of being recovered. Several other mistakes have crept into that account, but, as they chiefly refer to the circumstances which preceded the ship's striking, and to those of her state before the approach of day had revealed to us our precise situation, I leave them, so far as they may merit regard, to the notice of my professional companions in misfortune, confining myself to the duty incumbent on every one of contributing to render the tribute of gratitude and justice due to those meritorious efforts which were so promptly and so strenuously exerted for our relief. It may not be foreign to the same purpose, also, to inform you, that the vigilance of the local Magistracy, supported by the well disciplined division of the blockading force under Lieutenant Chappell's orders, have in this instance effectually prevented those acts of pillage, which have, on such melancholy occasions, too often disgraced our shores. Trusting that you will sympathize in the motive which impels me to address you, and give insertion to at least the purport of the letter, I am Sir,

Your obedient Servant,

E. M.

Eastbourne, Feb. 6; 1822.

DEATHS.

In Merion-square, Dublin, in the 70th year of his age, Richard Nevill, Esq. of Furnace, in the county of Kildare, and Teller of his Majesty's Exchequer in Ireland, for many years.

On the 21st of January, after a severe illness, Sir Backworth Buckworth Herne Soame, Bart. of Heydon, in Essex. He is succeeded in title and estates by his eldest son, Colonel Peter Buckworth Herne Soame.

On the 9th of January, at Ayr, Mary Gillespie, aged 72; and on the 10th, Agnes Gillespie, aged 76: they were sisters and natives of Ayr, and lived together under the same roof for the greater part of their long lives. Mary, a little before her death, took an affectionate farewell of Agnes, and on the 11th both were interred in the same grave.

On the 8th of February, at Plymouth, Captain Sir Thomas Lawie, K. C. B. leaving a widow and ten children.

On the 31st of January, Mrs. Hendrie, Brewer-street, Golden-square, in her 82d year.

On the 8th of February, Elizabeth, wife of Mr. Charles Baldwyn, of Newgate-street.

On the 2d of February, in Howland-street, Charles Binney, Esq. formerly of Madras, in his 75th year.

On the 3d of February, in Hans-place, James Stirling, Esq. aged 62 years.

PARLIAMENTARY.

—825—

Imperial Parliament.

HOUSE OF COMMONS, FRIDAY, FEBRUARY 6, 1822.

SECOND DEBATE ON IRELAND.

The Marquis of LONDONDERRY moved the order of the day for the house resolving itself into a committee on the Irish Insurrection Bill.

On the question "That the Speaker do leave the chair,"

Sir J. NEWPORT rose and said, as he understood from the noble lord opposite, that the noble marquis who was now at the head of the Irish Government had recommended the adoption of the Insurrection Bill and of the *Habes Corpus* Suspension Bill, without alteration or modification; and having, in every former transaction of that noble person's life, admired his talents, and entertained the highest opinion of his public conduct, he was disposed to waive his own opinion, and not to press for the modification of measures which, it was said, the noble marquis demanded without modification. (*hear, hear.*) He took this course, also, on the conviction that if he were to persist in calling for modification, and if the house give way to his representations, then should the measure be found inapplicable to the present state of Ireland, (as, however modified, he believed it would be), he should be accused as having rendered the act insipid by the introduction of those changes. Under such circumstances, the responsibility, and an awful responsibility it was, rested with the head of the Irish government, who required those measures in their most potent form.

Mr. G. DAWSON and Sir J. NEWPORT mutually explained.

Lord FOLKESTONE could not let those obnoxious measures pass, without entering his decided protest against them. His right hon. friend (Sir J. Newport) had told the house, that on account of the high character of the noble marquis, who called for these two bills, he would waive his opinion, and withdraw his opposition from them. There was no authority, with reference to Irish affairs, to which he would sooner bow, than to that of his right hon. friend; but when he said that he would waive his own fixed opinion, that he would forego the modification of those measures which he had contemplated, because he admired the talents of the noble marquis, and approved of his former conduct, he (Lord Folkestone) could not participate in those feelings; he could not allow his confidence to carry him so far. When he saw in that house last night 190 gent. ready to sacrifice the constitution of the country, without consideration, without any proof being given that such a sacrifice was necessary, or that it could be of any use—when he saw them ready to do this, at the mere motion of the minister, he confessed that it filled his mind with horror, shame, disgust, and, he would say, with indignation. (*hear, hear.*) He could not but view with feelings stronger than he could express, the conduct of those who wantonly surrendered the constitution of the country into such hands. (*hear, hear.*) This practice had become more and more the custom of the house. On the smallest grounds, indeed in each instance the last ground was less than the preceding, the liberties of the country were tamely surrendered; and where such a system was regularly pursued, what were they to expect in the course of a few years? He hoped the people would bear in mind how they had been treated on this occasion. The meeting of Parliament had been postponed to an unprecedentedly late period; and when it was assembled, they were addressed by a speech remarkable for its omissions with respect to the state of the country. One-fourth of that speech related to the people of Ireland; and it spoke of that country in such terms, as must render it impossible for any one who had read the passage to believe that Ireland was in that state of outrage and rebellion which the noble lord had described. (*hear, hear.*) That the people of that country should be up in arms—that they should have taken the field, as it were, against the military force—in short, that they should be in a state of open rebellion, and yet that his Majesty, at the opening of the session, should speak of them as he had done, was to him quite inconceivable. His Majesty said—"that a spirit of outrage, which had led to daring and systematic violation of the law, had arisen, and still prevailed, in some parts of the country." But outrage, and a systematic violation of the law, were very different from rebellion, and were perfectly distinguishable from what the noble lord had described. The papers which had been presented to the house (and they were the most meagre, the most unsatisfactory things that could possibly be conceived, on which to found any measure whatsoever) did not support the sweeping statement of the noble lord. But, if the country were in a state of rebellion, it was in that state, as was observed by a noble lord (Montebello) who was generally a supporter of the minister and his colleagues, and whose authority was therefore entitled to some consideration, in consequence of the negligence, the inattention, and the apathy of his Majesty's Government. The honourable member for Donegal told them, that this state of outrage and disquiet had continued for several months, and that if ministers had called Parliament together in the month of November, much difficulty would have been avoided, and much bloodshed would have been spared. If that were

the case, who was accountable for the state of rebellion in which the noble lord described the country to be plunged? None but himself and his colleagues. And were these the individuals to whom the house, in its confidence, would intrust all these great powers? Were those the persons whom they were bound to believe, when they declared that those powers were necessary? Besides, as his right honourable friend had said, these remedies were not applicable to the state of things which the noble lord had described. With respect to the *Habes Corpus* Suspension Act, he could not see how it applied in any way whatever to the situation of Ireland, as stated by the noble lord. Indeed, the noble lord had not said that it did apply. His observation was, that a state of things might possibly occur, in which the operation of such a measure would be useful. Was, then, the *Habes Corpus* Act of so little importance, that it was to be dispensed with, in expectation of some contingency, and in the absence of any adequate cause for its suspension? Was it of so little consequence, that Parliament might suspend it as a measure of anticipation? One gentleman had stated, that he considered the Insurrection Act a very proper measure, but that he looked on the *Habes Corpus* Suspension Act as improper and unnecessary. But that gentleman added, that he would support the latter, because he approved of the former, and he did not like to divide his votes. (*hear.*) This was the way in which such incongruous measures were carried. There was no evidence whatsoever of the existence of rebellion. Where was it to be found? Certainly not in the King's speech, nor in the papers that had been laid on their table. But if disturbances existed in some districts, and those small ones it appeared, was that to be advanced as a sufficient reason for suspending the liberties of the whole people of Ireland? (*hear.*) His right hon. friend had said that he would not oppose those measures if they were called for by the Marquis Wellesley. Now, to the assertion that the Marquis Wellesley had called for those powers, he would give the answer which an hon. gentleman had given last night—namely, that he did not believe the Marquis Wellesley wanted such powers to be placed in his hands by Parliament. (*hear.*) If he did request them, they would have been favoured with some evidence to prove, at least, that such was his wish. It would, indeed have been the manifest interest of ministers to lay that evidence before the house. But the spirit of the noble marquis's observations, and the statement contained in those papers, would bear the inference, that he did not desire those powers, and that he did not conceive the country to be in a state of rebellion. (*hear.*) This was a plain view of the case; and he could never agree to concede such extraordinary powers to the crown, or indeed any powers whatever, on the mere *ipse dixit* of a minister, which was nothing more than air, and might be uttered at one moment, and forgotten the very next. (*hear.*) The temper and character of the Marquis Wellesley had been frequently alluded to as an argument for fearlessly intrusting those powers to his hands. This argument had no weight with him. Power was a very tempting possession, and it had always been found that when individuals were invested with extensive authority, the more they had, the more they wished to have. The mind of the Marquis Wellesley was of that species which delighted in the acquirement and exercise of power; and it should not be forgotten that, at one period, he enjoyed despotic power. He had, it was true, run a most brilliant career, but that circumstance did not lessen, in his mind, the danger of intrusting him with absolute authority. Buonaparte also ran a brilliant career, but he was a great tyrant. The splendour of his achievements might be admired, but would any one be inclined, on account of that splendour of his achievements, to clothe him with despotic power? (*hear.*) The mind of the Marquis Wellesley was of that lofty description, his character was of that determined nature, which might lead him to render his already brilliant career still more brilliant, by the exercise of despotic power. Such power, in his opinion, ought to be confided to no person; and least of all was it calculated for such a man as the Marquis Wellesley, who, from his long habits, would perhaps be the most anxious to possess it. He meant nothing disrespectful to the noble marquis; but he thought he had shown that the only reasons given by his right hon. friend for freely conceding those great powers to the head of the Irish Government were not valid ones. He (Lord Folkestone) recollected, in the early period of his parliamentary life, that the mode in which the noble marquis had formerly exercised power, became the subject of inquiry in that house; and he must say that the manner in which he appeared to have used his authority was not of such a nature as would tempt him to place power in the hands of that nobleman again. (*hear.*) Transactions, it appeared, had taken place in India—transactions with which the Marquis Wellesley was intimately connected—which could not be remembered without exciting feelings of pain. Never could he forget the sort of conduct which the noble marquis pursued towards the unfortunate princes who came within his grasp, and towards the unfortunate countries which he subjugated for the East India Company. (*hear.*) His proceedings with respect to the Nabob of Oude, the Nabob of the Carnatic, the Peishwa, and other princes, were memorable instances of the gross abuse of power, and of the greatest cruelty. His conduct partook of the spirit which distinguished the proceedings of all those who were possessed of despotic

power. The same conduct was pursued by Buonaparte, when he wielded the power and resources of France, towards all the Governments which he subjugated. Having acquired this knowledge of the noble marquis's conduct in India, he confessed that he did not feel very willing to place those extraordinary powers in his hands. He had, he believed, stated his sentiments in a parliamentary way. He had no reasons for concealing his opinions; and he thought he had said enough to show, that there was nothing in the conduct of the noble marquis to justify the house in placing those exorbitant powers at his disposal. Another point of argument had been used on this occasion, which appeared to him to be equally fallacious; and it, too, rested on personal character. The noble lord had told them that the Insurrection Act was drawn up and prepared by a right hon. gentleman, the present Attorney-General for Ireland, and formerly a member of that house. It was said, as he had sided on many public questions with those who opposed ministers, that therefore his authority must have considerable weight, in proving that Government were actuated by a just and liberal spirit. But this authority also failed; for two years ago, when the celebrated Six Acts were passed, he recollected the definition that learned gentleman gave of liberty. He stated that "liberty was the power of doing that which the law enabled a man to do;" under which definition the Turkish, the Hindoo, the Algerine people—but not the people of Ireland, when the Habeas Corpus act was suspended—would enjoy as much liberty as the people of England, notwithstanding all the securities and safeguards with which our forefathers had surrounded our rights and privileges. This learned gentleman, thinking, perhaps, that the people of England had too much liberty, treated them with the Insurrection Act. With respect to the application of those laws, not one individual amongst those who supported them could show how they applied to the state of the country. They wanted something, it seemed; and they were willing to put up with these bills, without troubling themselves about the efficacy of their operation. It was melancholy to see the House of Commons brought to this situation—that in the absence of all reason and evidence, at the mere beck and invitation of the minister, they were willing on the preceding night to force these bills through all their stages. The house was now running a career most fatal to the country. Viewing, with feelings of alarm, the inroads which were daily making on the constitution, he should oppose both these bills; but most particularly that which suspended the Habeas Corpus Act. (*hear, hear.*)

The Marquis of LONDONDERRY said, the noble lord had thought fit to assert, that the declaration of a minister of the Crown, in his place in Parliament was not to be received as evidence—that the house ought not to place any dependence on it. He, however, begged leave to combat this opinion. A minister of the Crown making a statement in his place, and pledging his official responsibility for its accuracy, was as liable to be challenged and impeached, if his statement were incorrect, as if he had laid a false despatch on the table of the house. (*hear.*) If a minister could so far forget himself as to assert that which was not matter of fact, his conduct would produce and deserve the severest animadversion, and would be justly visited by the contempt and detestation of mankind. (*hear, hear.*) And surely the man who could have the hardihood to proclaim a false fact to the house, would be equally capable of forging a despatch. (*hear.*) He therefore questioned the noble lord's constitutional authorities on this subject. This was not the first time that the noble lord manifested a disposition to form a contrast with those whose principles he generally advocated; and to-night he exhibited a most notable contrast to the gentlemen around him. He appeared to have risen more for the purpose of attacking the Marquis Wellesley, than of imparting any information to the house. (*hear.*) Now he would, in a few words, state how the facts stood to which the noble lord had alluded, and he would then leave them, like other facts in our history, to carry their conviction with them, perfectly convinced that the character of the noble marquis would not suffer in public estimation. (*hear, hear.*) It was matter of notoriety that parliamentary proceedings relative to the conduct of Marquis Wellesley were instituted some years ago. He did not know whether the noble lord was the prosecutor in his own person on that occasion, or whether he was the associate of another person named Paus, who had found his way into the House of Commons. The Marquis Wellesley had, at that time, terminated his brilliant career in India. He had returned crowned with laurels from the seat of that Government which he had so long and so ably administered, and he carried with him the love and admiration of all who had witnessed his exertions. He found, however, on his arrival here, that instead of sitting down to enjoy the well-earned fruits of his honourable labours, he had to travel through a long investigation of his conduct at the instance of the individual whom he had just named. Considerable delay in consequence intervened, before he received that homage which was justly due to his talents and integrity, and which he did ultimately receive, in spite of all opposition. He believed there never was an accusation brought within the walls of that house which imparted more painful sensations to men of dignified feelings—(*hear, hear.*)—nor one, the defeat of which was hailed with greater pleasure. (*hear, hear.*) The noble lord had applied the word "cruelty" to the conduct of the

Marquis Wellesley; but he would assert, and he would appeal to the right hon. gent. (Sir J. Newport) who sat on the noble lord's right, whether the noble marquis was not the last man in the world to whose conduct such an epithet ought to be applied. (*hear, hear.*) The noble lord afforded a solitary instance of a desire to promulgate opinions which were at variance with those held by all other men. To-night, while all those around him were blazing in admiration of the public and private conduct of the Marquis Wellesley—when they appeared almost ready to confer supreme power to him, the noble lord stood forward to attack his character. He congratulated the noble lord on the station which he had assumed, a station in the enjoyment of which he was sure no person would disturb him. (*hear.*) With respect to the objections of the right hon. bart., it was fitting that he should make an observation or two. The right hon. bart. said, he would rather pass the Martial Law Bill than the Insurrection Act. What was the Martial Law Bill? A measure that applied to all Ireland, and was therefore unlike the Insurrection Act, which remained inoperative unless it was put in force on the application of seven magistrates. The Martial Law Bill was only applicable to a state, *flagrantis bello*; whereas, the Insurrection Act was applicable to a country, a part only of which was in a state of insurrection. To that part its provisions could be applied, when the magistrates called for it, while the other portions of the country, which were in a peaceable state, were not affected by it. The reverse was the case with the Martial Law Bill. Martial law was the suspension of the Habeas Corpus into the bargain. (*hear, hear.*) It was the suspension of the Habeas Corpus placed in military hands. The functions of the King's Bench were placed in the hands of military officers. It was therefore, a suspension of the Habeas Corpus of the worst kind. He was not disposed to take this flight with the right hon. bart., and to trust the execution of the laws to marching regiments, rather than to the judges. Whatever gloom of mind or exaltation of confidence influenced the right hon. bart., in bringing him to the conclusion that the whole of Ireland ought to be handed over to marching regiments, he could not participate in his conclusions. Lord Wellesley had chosen a more temperate and more judicious course. He could conceive a case in which military law ought to cover the face of the country; but this was not such a case. He was, therefore, as little disposed to concur with the right hon. bart., for resorting to military law, as he had been last night to agree with an honourable and learned gentleman in conferring absolute power on the noble lord at the head of the Irish government. The suspension of the Habeas Corpus have never been intended to apply to acts of outrage and rebellion. He had stated the evil to which it was a corrective, and the only corrective. It was not for rebellion in the field, but for cases where emissaries were inflaming men into rebellion. In such cases it was the only mode of saving the country from their pernicious labours. He therefore did not lament that Lord Wellesley had come to the decision of not applying for martial law. It had formerly been of great utility, but it was not the proper measure for the present exigency.

Dr. LUSHINGTON did not believe that the exigency required these laws, or that they could not by possibility, produce the effects which the noble marquis contemplated. The house was referred to the papers on the table, and to the confidence to which the Marquis Wellesley was entitled. In the papers he found outrages, but the Insurrection Act was the very law which ought to be applied to their suppression. But the remedy ought to be a commission sitting in Cork, in Limerick, in Tralee, to try men as fast as military forces could bring them in; and for this purpose let there be a sufficient military force provided. He could not consent, on the evidence here, or on the ground of confidence in the Marquis Wellesley, to give his vote for the two bills before the house; and he begged here to advert to the severe animadversions which had been unjustly made upon his noble friend. (*hear, hear.*) Never on any other occasion had he lamented more that the house had been deprived of those distinguished persons whose authority would support, and whose eloquence would defend, every statement of his noble friend. (*hear, hear.*) Sir Samuel Romilly had, in his own hearing, in as able, as powerful, and as eloquent a speech as ever flowed from the mouth of man, pronounced the strongest censure on the principles and on the conduct of the noble lord at the head of the Irish Government. (*hear, hear, hear.*) Mr. Whitbread, Mr. Sheridan, Mr. Windham, concurred in the same censure. If, then, his noble friend had been in error, he had been in error with some of the greatest names that ever graced, or ever would grace, that house—names which rescued Parliament from the utter disgrace which would otherwise attach to it. His noble friend had a right to go back to those circumstances, and to state, with regard to them, the honest conviction of his mind. The noble lord might perhaps do him the honour to recollect a question which he had asked Mr. Sheridan upon his subject. He had asked whether he had not abandoned the question by special compact under the Grenville administration. Mr. Sheridan replied, that though he retained the same opinions, he had not thought it right to agitate the subject during that administration. He (Dr. Lushington) believed that such conduct had proceeded from compact, and that his friends had deserted their duty. They who had with warmth and energy pressed for inquiry and justice before, treated the subject with coldness and indifference after they came into office. He did not hesitate to censure this conduct.

Saturday, June 29, 1822

—827—

in his own political friends. Adherents to truth ought to be preferred to any principles of party. (*hear, hear.*) He was still firmly of opinion that Lord Wellesley, though a man of great talent, vigour, and ability, had forgotten the obligations of treaties, and the considerations of humanity, which ought to bind all men; that he had sought to effect his end, and unhappily forgot the character of his means. On the state of Ireland he acceded to the opinions of the right hon. baronet, whose knowledge of Irish affairs signalized him in that house; but he would not accede to his confidence in Lord Wellesley. It was not in the power of man to exercise a sound discretion in every individual case. He would mention an instance in which the noble marquis opposite signed a warrant without knowing any thing of the individual. He heard the circumstances from that individual's son. A warrant had been obtained against a gentleman of the Roman Catholic religion, and at the age of 70. He had never quitted his house; but his son, hearing that a warrant was issued, hurried to Dublin to learn whether it was so. In the office he was told it was impossible. He was again informed that there was a warrant against his father, and, on a second application at the office, he found it was so. He afterwards arrived at his father's house just in time to prevent its execution. This was the danger to which an aged gentleman, of 5,000*l.* a year, had been exposed, without any fault on the part of the noble lord, but by the natural abuses of arbitrary laws. (*hear.*) The evil would appear more dreadful to those who knew what the gaols of Ireland were. Let them look into the inside of Dublin gaol, and every feeling would be a feeling of horror and regret. The members from Ireland assured the house, that the magistrates could not be trusted. Standish, a murderer, had been suffered to sit with the magistrates in the county of Limerick; his crime was known, his person was known, yet none dared to apprehend him. He was allowed to be at large till the member for Limerick got him apprehended, convicted, and executed. How, then, could they confer the proposed powers upon such magistrates? "Oh," said the noble marquis, "I have a palliative for all; I have taken away the jury, but I have sent down a King's sergeant, whose independence ensures that none will be transported who does not deserve it." He knew not what an Irish sergeant was, for he had never seen one; but he knew sergeants in England, and he would rather trust his life to any jury in England than any one of them; not because he doubted their learning or integrity, but because they had a political bias, and because they knew that if they were active—no matter, though five or six innocent persons should have been transported—they were likely to obtain the protection and the patronage of the Government. (*hear, hear, from the Ministerial benches.*) This was his firm conviction, founded upon his experience. There was one sergeant, at least, his Majesty's Solicitor-General, on the other side. When he looked to the promotions which took place in those ranks from which the cheers now came, he was only the more confirmed in the opinion he had expressed. (*hear, hear.*) When peers in England were promoted for political versatility, could he believe that his Majesty's ministers would be more scrupulous elsewhere? There was no difficulty so great but an adequate remedy might be applied. Industry, wisdom, and perseverance, could find means to remedy every political evil. The evils of Ireland might be promptly remedied, but not by the proposed laws, to which he could not give his support.

Mr. LOCKHART supported the motion. There were some defects in Ireland, and a mercenary disposition to violence. The system of intimidation made trial by jury inexpedient.

Mr. SPRING RICE said, that if the right honorable baronet had given his authority to the bills, he would have yielded to that authority; but the right honorable baronet had rested his assent on his confidence in the head of the Irish Government. He neither joined in this confidence, nor disclaimed it. Facts and circumstances, and not confidence in any man or set of men, formed the ground of his conduct. He admitted the pressure of the evil, but the suspension bill was not at all applicable to it. The Insurrection Act, if modified, might be found a remedy. If no jury could be found to act, he would have voted for the bill as it was. But juries had acted and done their duty at Limerick. He would then proceed on the authority of facts, and not yielded to unsupported theories. On the bringing up of the report, he would propose a few alterations. One would regard the mode of trial. He would propose a clause to enable the King's Sergeant to admit to bail. He would also propose a clause to enable the Crown to authorize persons, in remote or detached districts to act as justices of the peace. With respect to juries, he would propose to commit the alternative of trying by jury or not to the Sergeant, who was divested of local passions and animosities.

Mr. CALCRAFT said that the strong bias of his mind had been that under the afflicting circumstances the present was the better course to be taken. He had been strengthened in this opinion by all the discussions and reflections he had heard on the subject. However difficult he felt it, therefore, to differ from his friends, he conceived it would be a mean compromise on his part if he did not vote for the measures; and state his reasons for doing so. His friends seemed to take but one view

of the question. They fixed their attention on the horrors of the Insurrection Act, and the breach of the constitution by the suspension of the Habeas Corpus Act. He admitted those evils: he did not like them; but must he not make choice of one of the alternatives—either to have severe laws, or to suffer murder, massacre, and outrage, and a dissolution of society? (*hear, hear.*) Rather than bear the mischief, he would have recourse to the remedy—detestable, if they pleased, which alone could restore the security and confidence of society. Not only were the measures proposed proper, but they were the best which could have been selected. It had been said that martial law was preferable to the measures now before the house; but, comparatively speaking, he thought the Insurrection Act was the milder course: and it should be recollected that this act was not necessarily to be extended over the whole of Ireland, but that the Lord Lieutenant, in whose character and talents he had the greatest confidence, would apply it only to such districts as were found to be in a state of actual disturbance. He was glad to find that a right hon. bart. (Sir J. Newport) had withdrawn his opposition to this measure, as, if he had continued in the opinion which he first delivered on the subject, he (Mr. Calcraft) should scarcely know how to preserve in his own. As to the alternative of martial law, he thought it could not be made effectual to put down the disturbances, as it would require a greater number of troops than could be spared from the service.

Mr. Wm. LAMB said he would support the bill, from his confidence in his Majesty's ministers, and his confidence in the noble lord (Wellesley) to whose hands the execution of this power would be chiefly confided. He would not now enter into any detail respecting the merits of that noble lord, or go back to any thing respecting his government in India, but he would express his conviction, that the noble lord was not more distinguished for character and talent heretofore than he would now be for great exertions for the welfare of his native country. At the same time that he admitted this, he would give the same powers to the hands of any other governor, who he had reason to believe would use them fairly. He would also support the present bill from the confidence he had in the gentlemen of the sister country, who, he was satisfied, would do every thing in their power to carry it into effect. While he voted for those strong measures on the ground of their pressing necessity, no man felt more deeply for the distresses of Ireland than he did, and no man was more anxious that it should be governed with the most liberal policy. He would therefore go as far as any for an inquiry into the cause of the present disturbances, with a view of removing them if possible.

Mr. C. H. HUTCHINSON opposed the bill and contended at some length, that no sufficient case had been made out for such unconstitutional measures. He would ask, did the noble lord and his colleagues think that they could continue to govern Ireland by such means, applying coercion again and again to suppress the disturbances which arose out of their own misconduct, without ever attempting to inquire into the original causes, in order to remove them? He felt satisfied that constant coercion was not the way by which Ireland could be brought to a state of quiet; and if the present measures were carried into operation, without at the same time entering into a serious consideration of the state of Ireland, with an earnest disposition to redress its grievances, the result would be—not the suppression of the present disturbances—but the creation of others still more formidable.

Colonel DAVIES supported the bill. He would not vote for the present measure if that was all that was intended to be done; for after this he would be most anxious that a full investigation should take place into the grievances of which Ireland complained. Surely it would not be said, however, that while that inquiry was going on, the system of plunder, murder, and massacre, which now prevailed, should be suffered to continue.

The question for going into the committee on the bill was now put and agreed to.

The SPEAKER having left the chair, the bill was committed, and the various clauses were put and carried. The house then resumed. The report of the committee was brought up, read, and agreed to.

On the question that the bill be engrossed.

Mr. S. RICE said he would take that opportunity of moving the amendments to which he had previously alluded. He moved that the words of the bill "shall proceed without any grand jury, and without any bill being found," should be omitted. This was put and negatived.

He then moved that the following words be also left out of the bill—"In such case where conviction on judgment, or acquittal, shall be had without the verdict of any petty jury, it shall stand good, as if the grand jury had found a bill, and a petty jury had pronounced upon it." This proposition was also put and negatived.

The hon. Member next moved the omission of certain other words of the bill, which we could not distinctly hear, but the motion was, like the preceding ones, negatived.

The hon. Member now moved for the insertion of a clause, authorizing and commanding the magistrates, under the special commissions, to issue their warrants to the sheriff, who should be thereby authorized and commanded to issue out his precept for summoning fit and proper persons for a petty jury; the same as were summoned to courts of Oyer and Terminer, and that the sheriff should be bound to attend the sittings of the special court, in the same manner as if it were a court of general sessions of the peace. The other parts of the clause went to establish a regulation for the sitting of the court from day to day, and for the greater facility of taking bail for parties accused.

The Marquis of LONDONDERRY opposed the clause, and observed that it was understood that the sitting of the Commission should be from day to day, and that the difficulty respecting the taking of bail could not be so great as the honourable member had stated it.

Mr. S. RICE said, that the noble lord was much mistaken, if he thought that great delays would not occur, as the bill now stood. He had attended every Court of Special Commission in his county, and he found that delays of days, weeks, and in one case exceeding a month had taken place. This arose from the construction which was put upon the words "from day to day," by the law officers in Ireland. They held it to mean, from any one day to any other, even though remote. Now, as by the present act bail could only be taken by the favoured King's sergeant who should preside, a man against whom, perhaps, only a charge of being out of his house after a certain hour was brought, might be kept without bail for two or three weeks. He trusted, therefore, the noble lord would not oppose the clause. He begged of the house also to consider, that upon the adoption or rejection of the clause depended, whether the trials should be by the magistrates without a jury, or by a jury alone. The house now divided—

For the motion, 30—Against it, 139—Majority, 109.

We understand that during our exclusion from the gallery the bill was passed.

HABEAS CORPUS ACT SUSPENSION BILL.

On our re-admission, we found The SPEAKER putting the question, that this bill be committed in a committee of the whole house. Strangers were again ordered to withdraw, when a division took place—

For the commitment, 127—Against it, 30—Majority, 91.

When we were again admitted, we found that the house had resolved itself into the said committee. The bill passed through it, and the house having resumed,

Mr. BROGDEN brought up the report. It was immediately received, and the amendments which it proposed were agreed to.

On the SPEAKER putting the question that the bill be read a third time,

Sir F. BURDETT rose to express a hope that ministers, before they passed it, would pledge themselves to the Irish nation to pursue a conciliatory line of policy in future, and not to introduce a bill of indemnity, to smother the outrages which might be committed under it (*hear, hear.*)

Mr. DENMAN rose to inform the hon. bart. of a fact of which he appeared to be ignorant, that the Insurrection Act contained a clause which answered all the purposes of a bill of indemnity. (*hear, hear.*)

The ATTORNEY-GENERAL denied that the clause, to which his learned friend alluded, afforded indemnity to magistrates who should maliciously abuse the powers intrusted to them, and contended at some length that it only gave them that protection to which they were entitled, under the difficult circumstances in which they were frequently placed. He allowed that nothing but imperious necessity could justify such bills as the house was then passing; but at the same time he felt himself obliged to confess, that in his opinion, a necessity for passing them was at present to be found in the disturbed and distracted state of Ireland.

Mr. BROUGHAM should not follow his learned friend who had just sat down, into the legal argument which he had started upon the construction of the clause in the indemnity bill. His learned friend had stated, the clause in question gave no more protection to the magistrate in Ireland than was already given to him by the law in England. If this was the case, there could be no harm in leaving out the clause, altogether. (*hear, hear.*)

The house then divided on the question that the bill do pass. The numbers were—

For the bill, 109—Against it, 28—Majority, 81.]

The Irish Insurrection Act was then passed.

The house afterwards divided upon the third reading of the Habeas Corpus Suspension bill, when the numbers were—

For the third reading, 109—Against it, 27—Majority, 82.

The Bill was then passed.

The house adjourned at half-past twelve o'clock until Monday next.

Reply to Mr. Loveday's Petition.

To the Editor of the Constitutionnel.

Sir,

A petition, signed 'Douglas Loveday,' and which it is announced will be made a subject of debate in the Chamber of Deputies, has been profusely circulated in Paris for some days past. This petition contains allegations of the most serious nature against me, as the head of the institution, and I am held out to the public in the most odious light. In order to enlighten the public mind as to the erroneous opinion into which they have been hurried, I must await the moment when that violence shall have begun to subside, which has astonished M. Douglas Loveday himself, if we may believe his recent declaration, through the medium of your journal, 'that it was contrary to his express intention that the sale of his petition had taken place, and that he had even caused a whole edition to be seized at the house of a bookseller in the Palais Royal, on the morning of the 10th of January.' But I must also exert myself in the course of this very painful interval, to collect the materials for a personal defence, which society, in my opinion, has a right to require from me, and which in justice to myself I must undertake.

Though conscious that I was not liable to reproach, I have never forgotten that I could not be an impartial judge of my own conduct. I have been desirous of stating the case with perfect sincerity to men whose profession, experience, and known moderation pointed them out as just and even rigorous judges.

MM. Billecoq and Hennequin were pleased to listen to me. I laid before them all the circumstances of my connexion with M. Douglas Loveday—our agreement relative to his two daughters and niece—the formal declaration which he made relatively to education, in a religious point of view—our correspondence—finally, I stated what my own conduct had been. These lawyers came to the conclusion that I was entitled to their support. They have given it to me; and the public will soon be enabled to form a judgment with respect to this affair, in which, with whatever severity I may have been treated, it is already too evident that the facts are become less an object of complaint than the means of scandal, I am confident that when the truth shall have been made known, the parents of families, to whom I am particularly anxious to justify myself, will be of opinion that I have pursued the strict line of my duty. For the rest, Sir, I am perfectly unmoved by any thing which may have been hitherto published relatively to the petition of M. Douglas Loveday, either in the periodical papers, or any other work. My defence, which is being prepared, will be signed by me.

I hope, Sir, that for the sake of a person who is already exposed to all the severity of public opinion, without having been heard, you will have the goodness to give this letter a place in your Journal,

I have the honour to be, &c.

Paris, Jan. 19, 1832.

E. REBOUL.

Military Intelligence.

WAR-OFFICE, FEBRUARY 1, 1832.

4th Regiment Foot, Brevet Lieutenant-Colonel, Alfred D. Fanne to be Lieutenant Colonel, without purchase, vice Piper, deceased. Dated 24th January 1832. Brevet Lieutenant Colonel George David Wilson to be Major, vice Fanne. Dated 24th January 1832. Sergeant-Major Richard Mullaly to be Quarter-master, vice Doran, deceased. Dated 6th December 1831.

10th Ditto, Lieutenant Saville Broom, from the 67th Foot, to be Lieutenant, vice M'Nair, who exchanges. Dated 24th January 1832.

31st Ditto, Second Lieutenant Henry Havelock, from the Rifle Brigade, to be First Lieutenant, by purchase, vice Bridgeman, promoted in the 25th Foot. Dated 24th October 1831.

30th Ditto, Ensign Joseph Berridge to be Lieutenant, without purchase, vice Alexander M'Dougall, deceased. Dated 6th September, 1829.

William Octavius Gunning, Gent. to be Ensign, without purchase, vice Berridge. Dated 24th January 1832.

40th Ditto, William Senhouse, Gent. to be Ensign by purchase, vice Dawson, promoted in the 6th Foot. Dated 24th January 1832.

53d Ditto, Brevet Major John Wheatstone to the Major, without purchase, vice John Giles, deceased. Dated 3d May 1831. Lieutenant William Booth to be Captain, vice Wheatstone. Dated 3d May, 1831. John Wheatstone Gent. to be Ensign, with not purchase, vice Gray, promoted. Dated 1st May 1831.

59th Ditto, Ensign Charles Stanhope Jones, from half-pay 62d Foot, to be Ensign, without purchase, vice Barlow, promoted. Dated 25th December 1831. Sergeant-Major William Ellary to be Quartermaster, vice Franklin, deceased. Dated 16th June 1831.

65th Ditto, Lieutenant Isaac Hart to be Captain, without purchase, vice Moorhouse, deceased. Dated 5th May 1831.

ASIATIC DEPARTMENT.

-829-

Supreme Court.

CALCUTTA, TUESDAY, JUNE 25, 1822.

Two persons, Muti Loll Seal and Bieme Syrkur, were brought to the bar, charged with having committed an assault on one Ram Coomer Bisouas in the month of January last.

Mr. BENDISSE opened the case for the Prosecution, and stated that the Defendants to all appearance owing the Plaintiff a grudge had on the 20th of January last at Messrs. Tulloh's Auction picked a quarrel with him; but that place apparently not suiting their purpose, they had dragged him along with them to their Shop in the Rhada Bazar, and there beat and ill-used him in a shocking manner.

Comolochin Dhar, Ramtoso Doss, Ram Lochund Syrkur, and Thakar Doss were then called as witnesses, but their evidence by no means agreed.

Mr. SPANKIE rose and addressed the Jury on the part of the Defendants, reverting to the contradictory evidence given, remarked that the witnesses were in fact mere men of straw, and pointed out the fallacy of the case.

Sir FRANCIS MACNAUGHTEN then called upon the Jury to give their verdict; he observed that although the evidence did not exactly tally, if they believed an assault had really been committed, they ought to return a verdict of Guilty.

If, on the contrary they thought the evidence was not strictly sufficient, he, the learned Judge, thought that there would perhaps be no great injustice done to all parties by discharging the cause. The Jury without any hesitation returned a verdict of Not Guilty.

Four persons, Gungarain alias Gungaram Shaw, Goormohon Shaw, Ram Rochin Shaw and Goorpersaud Chuckerbutty, were then called to the bar, on a charge of Conspiracy against the persons of Hursook Roy and Gopaul Roy his son.

The Plaintiff stated that in the latter part of last year, Gungarain Shaw and Goormohon Shaw brought a person to his Shop, named Bridge Mohon, who gave himself out to be Nephew to the Rajah of Nattore; that the said Bridge Mohon, under pretence of purchasing them for his uncle, had taken with him three pair of Shawls, valued at 1,550 Rupees, deposited on trust to be returned if not approved of.

The Plaintiff waited six weeks very patiently for his money, but at the expiration of that time hearing that one pair of the said Shawls had been sold by the Defendants at less than his original price, he called on the party, and insisted on having either his money or the shawls again, but seeing no likelihood of getting either, he took out a warrant and arrested Gungaram, but could not find the two other persons. Shortly after Ram Rochin Shaw called on the Plaintiff and offered to bail Gungaram, requesting him not to stop it, and promised he would get him back either his shawls or his money in two days. Gungaram in consequence was admitted to bail on the 20th of January last. On the 23d, while Plaintiff was passing Messrs. Taylor's Auction, Gungaram and Goormohon seized him forcibly and held him till a Sheriff's Officer came up and arrested him for the sum of 10,120 Rs. at the suit of one Ghourpersaud Chuckerbutty, and put him in Jail. This sum he, Hursook Roy, never owed, and he was informed that Gungaram and Goormohon had prevailed on Ghourpersaud Chuckerbutty to take out this warrant, for which they paid the costs, and gave him Ghourpersaud Chuckerbutty two Rupees for taking a false oath.

His Lordship here observed that the Court could take no cognizance of hearsay matter, upon which the Plaintiff produced three written documents.

No. 1. Was an acknowledgement from the Defendant Goormohon of his having together with Gungaram, who, he said had first urged him on to it, persuaded Ghourpersaud Chuckerbutty to swear a false debt against the plaintiff for various articles of merchandize enumerated in the document No. 2, amounting to 10,120 Rupees. This paper was signed by Goormohon in the

presence of the Plaintiff, and delivered to him with the request that he would not appear against him. No. 3. Was an acknowledgement signed by Ghourpersaud Chuckerbutty of his having sworn a false debt of 10,120 rupees against the Plaintiff, to do which, he had been persuaded by Goormohon and Gungaram, who promised to pay the costs and reward him with 2 rupees: this paper No. 3. was sent, attended with the like request that he Hursook Roy would not carry on the prosecution.

Mr. Denman was then called and sworn as to the identity of the warrant taken out by Ghourpersaud Chuckerbutty. The first witness called was Gopaul Roy, son to the plaintiff.

The evidence he gave was nearly in the same words as those of Hursook Roy; in continuance he related that on the evening of his father's being put in Jail, Goormohon came to his house, advising him to compromise matters, and promised if he would give him an acquittal for the 1550 Rupees, he, the defendant, owed him for the Shawls, he would get Hursook Roy out of Jail on the day following; but this, witness refused to do. Shortly after, Ghourpersaud Chuckerbutty also came to his house and told him that Goormohon and Gungaram has instructed him to take this false oath, that they had informed him of the debt they owed to Hursook Roy, and that they wanted to put him in Jail to force him to their terms; he, Ghourpersaud Chuckerbutty, however, proposed to witness that if he would give him 200 Rupees, he in return would give him a release for his father, and then make his escape.

This however he also refused; Witness was well acquainted with his Father's concerns, had access to his books, is well assured his father does not owe this debt, and that he never had any dealing with the Prisoner, Ghourpersaud Chuckerbutty.

Mollon Misser, the next witness called, knows the Plaintiff, lives with Gopaul, saw Goormohon at his house, on the night Hursook Roy was put in Jail; heard him say, "lay out four or five Hundred Rupees and your Father will get out of Jail."

Ram Gee Mhur called, knows Ghourpersaud Chuckerbutty, and Goormohon; is acquainted with Gopaul Roy also; Ghourpersaud told him on the evening of Hursook Roy's being put in Jail. "Let Gopaul give me 200 Rupees and I will give a release for the 10,120 Rupees."

Surup Ghur called, absent. Here the Plaintiff observed that he felt assured this witness (the principal one) had been persuaded by Ram Rochin Shaw not to appear.

Buxee Ram deposed that he had heard Goormohon say "let the Plaintiff give me an acquittal of the sum I owe him for the Shawls, and I will acquit him of the Debt Ghourpersaud Chuckerbutty has brought against him."

Ram Sunder Sicker deposed that Hursook Roy and Goormohon had desired him to draw up a paper to endeavour to compromise matters, but that nothing had come to a settlement.

Mr. SPANKIE then rose and addressed the Jury in defence of the Prisoner, Ram Rochin Shaw; he explained to the Jury in an elaborate speech, that however a conspiracy might be proved against the other Prisoners, his Client could in no way be charged with such an offence; that the only mention made of his Client was his becoming bail for the Prisoner Gungaram; the learned Counsel observed, people might have various motives for becoming bail, it might be from motives of friendship, or interest, and some people he was informed in this country did it from motives of gain, receiving five and ten per cent on the debt for which they are held to bail; such might perhaps be the case with his Client, but he felt confident that the Jury could in no way implicate him in the charge of Conspiracy for which he was indicted with the rest of the Prisoners. To him it did not appear plain that a Conspiracy existed in the first instance, the purchase of the Shawls might have taken place without any intention of fraud, the conduct of the prisoner's taking out a warrant on a false pretence subsequent to his Client becoming bail for Gungaram, he could not consider in any other light than as a deep and malicious conspiracy; and as to facts there could be no doubt entertained, for the prisoners had implicated each other;

each individually impeaching the other two; but even then his Client was not implicated. The learned Counsel begged the Gentlemen of the Jury would take it into their serious consideration that for his part, he was confident from the examination of the Witnesses, (according to which, it behoved the Jury to give their verdict, and not according to what supposition might suggest,) that his Client was entirely innocent of the charge of conspiracy brought against him.

The Prisoners were then called on for their defence.

Gungaram Shaw endeavored to turn it off as a conspiracy on the part of the Plaintiff and his own accomplices, pretending that Plaintiff had sold him English instead of the Cashmere Shawls, to prove which he called two witnesses who did not answer. Gourmahon stated that Goursersaud and Gungaram had projected this conspiracy without his being a party in it, he had no witnesses to call.

Goursersaud Chuckerbutty threw the whole of the transaction on the Plaintiff and the other two prisoners, declaring that they had united to ruin him; he added that so far from being a party in the affair he had for some time previous lived as an object of charity in the house of the plaintiff, he then called a witness,

Ramsuruck Baboo, who proved that he had once or twice seen him in the house of the Plaintiff. He then called four other witnesses, three of which did not appear, the fourth Ramhon Shaw disowned any knowledge whatever of the Prisoner.

Here the prosecution closed. His Lordship then addressed the Jury, and requested their serious consideration of this most villainous case; he was very sorry that the principal Witness should have been absent, and almost the only one who could have given a light on the part Ram Rochin Shaw had acted in this unequalled piece of villainy; his Lordship was very much surprised that a witness, whose evidence was so essential, should have been allowed to go about at large, without any steps being taken to insure his attendance. Nevertheless he thought the evidence obtained did not leave a doubt as to existence of a conspiracy against the Plaintiff.

The first consideration for the Jury he observed was the case of Ram Rochin Shaw.

Whatever evidence the absent witness might have given, those present had certainly not in any way implicated him; indeed no mention whatever had been made of him but as becoming Bail for Gungaram. Not that his Lordship meant to exculpate him entirely, as it appeared that he was a *Babola* making the giving bail a trade; in this instance, however, he thought the Jury might acquit him of the charge of conspiracy.

With respect to the other three Prisoners, his Lordship recapitulated the evidence, and pointed out to the Jury that the case was too plain to admit of any doubt. That though in the first transaction with respect to the sale of the Shawls no conspiracy was proved, it by no means followed that the conspiracy at that time did not exist. That as to the person Goursersaud (Chuckerbutty) at whose suit the Plaintiff was put in Jail, his case if any thing was still more flagrant than that of the rest, as he was at that time eating the bread of Charity in the house of the Plaintiff, and that to be enabled to bring a suit for so large an amount against any person it would stand to reason that he himself must be a man of some property, whereas the witness called in his behalf had proved that he was actually fed and clothed at the expense of another man, and that man the Plaintiff himself.

His Lordship thought no further doubt could exist, and that if the Jury were satisfied as to the truth of the evidence, the only verdict they could return would be Guilty; but that on the other hand if they thought the evidence insufficient and they entertained any doubts (which in his mind did not exist) as to the actual existence of a Conspiracy, they were at liberty to discharge the case.

The Jury after a few minutes consideration without leaving the Court returned a Verdict GUILTY, against Gungaram Shaw, Gourmahon Shaw, and Goursersaud Chuckerbutty. NOT GUILTY against Ram Rochin Shaw.

His Lordship congratulated them on their decision, and informed them that as this case appeared to him to be of a most villainous and atrocious nature he meant to punish the Prisoners with the utmost rigour of the Law, unless the Gentlemen of the Jury saw any thing that would admit of a mitigation.

The Jury in reply informed his Lordship that they could not see how the case would admit of any.

PRESENTMENT MADE BY THE GRAND JURY.—CALCUTTA, JUNE 27, 1822.

To the Honorable Sir Francis Macnaghten, Knight, Judge of his Majesty's Supreme Court of Judicature at Fort William in Bengal.

MAY IT PLEASE YOUR LORDSHIP,

On presenting these the last Bills which remained for Investigation, and before soliciting their dismissal on this close of their labors, the Grand Jury beg leave to state, that agreeably to your Lordship's recommendation in the latter part of your Lordship's Charge to them, they have particularly taken into consideration the observations your Lordship was pleased to make on the insufficiency of the punishments the Law awards for Forgery, Perjury, and Misdemeanor, and beg leave to submit the result of their deliberation, that your Lordship may take such measures as you may deem expedient, to bring the subject to the notice of His Majesty's Ministers.

The specific punishments awarded for the above crimes, as the Law at present permits, are Transportation and Imprisonment in the Common Jail, for a term not exceeding seven years. These punishments the Grand Jury have reason to believe have lost all their terrors, both to Europeans as well as to Natives. Experience has proved that persons subject to Transportation are frequently bettered in their condition. Natives are transported to a climate not worse, and Europeans to one much better than Calcutta; there are many Natives capable of Forgery who would be well pleased to remove from their embarrassment, in Calcutta, with the money they may have obtained by Forgery; and we are inclined to believe that many Europeans would be glad to go to New South Wales with money in their pockets rather than continue in poverty here; so that the punishment for Forgery being Transportation, the offending parties are benefitted by their crimes, but men would know that they offended to very little purpose, if from the nature of their punishment they were to be placed in a situation where they could not enjoy the fruits of their frauds. The Grand Jury, for the reasons above stated, are of opinion that the crimes of Perjury and Forgery, would be more adequately punished by seven years hard labor in the House of Correction, than by Transportation or Imprisonment for the same term.

In light cases of misdemeanor, Imprisonment in the Jail of Calcutta will be sufficient, and the most proper punishment; but to the far greater numbers of persons liable to commit this offence, Imprisonment is not a punishment, but rather considered as a desirable way of living; but there are many misdemeanors which in a moral point of view stand upon the same footing as murder, and which altho' death may not have ensued are in England subject to capital punishment, the same as if it had; many such have been perpetrated in Calcutta of late years, and the offenders could only be sentenced to fine and imprisonment; the Grand Jury therefore consider it their duty to recommend the above crime as well as all other offences of a serious nature, to imprisonment in the House of Correction, and hard labor, at the same time leaving the period of confinement to the discretion of the Court, with the power also of transporting for Perjury, Forgery and other transportable offences.

Grand Jury Room, }
27th June, 1822. } J. TREVES, Foreman.

LETTER FROM MANILLA.

Manilla, April 14, 1822.—Every thing here is for the present tranquil, but much discontent exists; the confiscation of the Church lands and the appointment of Native Clergy to the Administration of towns equally with the Spanish Priest, would, it is feared, occasion some ferment. By a ship from France despatches have been received from home in which his Majesty remarking on the events of the 9th of October, approves of the conduct of Government (on their own report of the matter we presume), but recommends a little more energy in future. About a hundred Officers were to be sent to this Country for the different Regiments, which has occasioned much murmuring amongst the Native born Officers. The democratic party are not sleeping, and some measures it was supposed, mislatterly be taken to prevent the ruinous of clubs, &c. which were daily augmenting. And if to this be added the general stagnation of trade from the losses and annihilation of the Mexican Commerce, the situation of this Country is by no means promising.

Saturday, June 29, 1822

-831-

Selections.

Bombay, June 8, 1822.—The *MACQUEEN* spoke with the H. C. ships *KEELIE CASTLE* and *CHARLES GRANT* from China, to the Eastward of the Cape, on the 8th May. At Johanna she fell in with the ship *LORD CALTERRAGH*, Captain F. Briggs, returned to Bombay, to refit, in consequence of heavy damage sustained in a severe gale off the Cape, during which she was compelled to throw overboard a considerable part of her cargo, and received so much injury that the prosecution of her voyage became impossible.

This ship made the land off Algoa Bay on the 27th April, when a gale of wind commenced from the N. N. W. attended with a very high sea, causing her to strain and labor considerably, and to make much water. The pumps became choked with pepper on the 30th, and it became necessary in consequence to throw overboard 299 bags of Pepper, &c. to get at the pump-well. The pumps were kept constantly going, but the gale continuing with increased force and a heavy sea, and the ship not lying well, she opened all the seams of her upper decks and topsides, and continued in this perilous state until the 3d of May, at which time the water had increased to 4 feet, the people were all completely knocked up, the masts and rigging much injured, and there being no probability of her getting round the Cape in the state she was, she was kept before the wind to prevent her foundering. The gale lasted till the 5th May; when the weather moderated, and the ship was pumped out; and afterwards in fine weather she made only 12 inches water in the 24 hours.

The free traders *OGLE CASTLE* and *SARAH*, from this port, had arrived at St. Helena: the latter on the 4th April, the former a few days previously: all well on board both ships we believe.

The Hon'ble Company's ship *ORWELL* had reached St. Helena some days before the *MACQUEEN* left that island; and the people of Johanna said that the *MEDINA* had passed that place for Bombay two days before the *MACQUEEN* went in there. The arrival of these two ships, therefore, as well as that of the H. C. ships *BUCKINGHAMSHIRE* and *CASTLE HUNTER*, may be expected daily.

Since writing the foregoing, the ship *MEDINA* has anchored in the harbour. Her report states her to have left Plymouth the 25th January, and Johanna the 16th May.—Passengers, Captain Durant, and Mr. Stewart.

The rain has fallen freely but not violently during the latter part of this week; the setting in of the Monsoon this year has been unusually mild.

Bombay adjourned Sessions.—*Rex v W. B. Hockley, Esq.*—On Saturday, Mr. Ayrton continued his defence of Mr. Hockley; and in an admirable speech of nearly four hours, commented with great force and point on the improbabilities and contradictions in the story and evidence of the witnesses for the prosecution; concluding with a very masterly explanation of the circumstances which seemed to press hardest on the defendant. The remainder of the day and greater part of Monday were employed in the examination of the defendant's witnesses. The Advocate General commenced his reply about 3 o'clock on Monday, and commented for above two hours on the defence and the evidence in support of it. He concluded his reply on Tuesday at one o'clock, when the Court adjourned. On Wednesday, the Honorable the Recorder commenced his charge to the Jury. His Lordship recapitulated very minutely the whole evidence to the Jury, directing their attention as he went along to the most remarkable features of the charges and defence. We regret that it is utterly impossible for us to follow his Lordship through a comprehensive and able speech of 9 hours, or to give any detailed report in the narrow compass of a Newspaper, of a Trial which has occupied thirteen days. The Jury retired at 7 in the evening, and at about a quarter after 10 o'clock returned a verdict of Not Guilty. The Advocate General then stated, that it was not his intention to proceed with the 2d Information he had filed against the defendant. The Recorder having thanked the Jury for the very great attention they had paid, and the patience with which they had listened to this important case. The Sessions were dissolved.—*Bombay Courier.*

Letters have been received in Town yesterday from the H. C. Ship *MARQUIS OF WELLINGTON*, dated the 6th of April. She had arrived on the night of the 31st March, and was to sail for England on the 6th of April. A report having reached the Governor, that the whooping cough was on board the yellow flag was hoisted on the 1st April, the morning after their arrival, and the Ship put under strict quarantine, to the very great disappointment of the Passengers, who remonstrated in vain with the authorities there. A statement signed by three medical men on board, giving it as their opinion that the whooping cough cannot be conveyed through a third person, had been dispatched, but no attention was paid to it. The Ship was surrounded by guard boats, and the letters were delivered to the Passengers, by the aid of long poles, to the ends of which they were attached. They were allowed to receive letters in this manner, but not to answer them. One of the Passengers of the *WELLINGTON*, has addressed a letter to JOHN BULL IN THE EAST, on the subject, which will be found in the department devoted to Correspondence. Provisions

were very dear in the Island. Fowls were selling at 10 shillings each. The Passengers on board the *WELLINGTON*, the *GREENVILLE*, and the *WOODROD*, were all well, we are happy to say.

We yesterday received a letter from Captain Blanchard of the H. C. Ship *MARQUIS OF WELLINGTON*, dated the 6th of April 1822, and have much pleasure in complying with the request contained in the following Extract from the same.

"Do me the favour to have it put in one of the Calcutta Papers, that the whooping cough, which we have had among the children on board, has been of a very mild description, and that we were all well notwithstanding the Quarantine flag was flying."

The Ship *MARQUIS OF HASTINGS*, Captain Edwards, arrived at St. Helena, on the 16th March, and was to sail thence for England on the 21st of the same month. All well on board.

Mhow.—Extract of a letter from Mhow, 21st June, 1822:—"I saw a paragraph (which ought to be contradicted) in the *Calcutta Journal* of the 24th or 25th ultimo, from Mhow, stating that 200 Pindaries had come over into our Bazar and plundered it. This is a gross misrepresentation, and the fact is, that about 20 or 25 men, with a metal and tom tom, came into the Bazar between 7 and 8 o'clock singing and dancing as if it were some Marriage or other Ceremony. They passed on in the night of hundreds, till they came opposite the shop of a Shroff, when one of them called out—"that is the house," on which they rushed into the Shop, where 4 or 5 men were transacting business, wounded two or three of them, broke open a common deal box containing valuables, which they took and also some bundles of silk, cloth, &c. with which they got clear off. The whole was done in less than three minutes, the daringness of the act almost insured its success, and as the night was excessively dark and they had not above a couple of hundred yards to run before they reached the plains, and a broken Nullah, the pursuit which instantly I may say took place was without success."—*John Bull.*

St. Helena.

To the Editor of John Bull, and a newspaper.

Sir, This Island, the bountiful Garden of the World, whose very Brooks teem with Milk and Honey, has lately been thrown into the greatest consternation. It was discovered by Old Mortality, the Health Officer, that some children had a cough in which it was fancied they whooped; this was enough to paralyze the "Old Gentleman," and without once considering he had been on board the Ship so horribly and fatally affected, he most prudently rowed on shore, and stammered out the dreadful report to the Governor. A yellow flag was consequently hoisted, and two floating sentries were sent with those short but pithy orders, "that Ship is unhealthy, keep her so," or in other words, cut her off from all sound and healthful communication. They are excellent sentries, and punctually obey their orders, ever and anon loading their Fuzees with Powder and Ball to the great terror of the children. No child however has as yet been shot, notwithstanding several have coughed within hearing of the sentries. Our water has been sent off to us, lest we should get the Hose coughing, which comes from the shore to our Boats; our Letters are smoke dried on one side of the Ships, whilst the cargo, which they are much in want of, is taken whole-sale into their Boats on the other, without any precautions at all; but Paper, Old Mortality thinks is so far more infectious than Rice and Gummy Bags. All the Ships, which composed the Fleet at our entrance into the Harbour, had Boats alongside and men on board, yet not one was put into Quarantine, except a Brig from the Cape, whose Captain happened to go into one of our Boats, and a small Sloop which kindly assisted our Boat when infecting the Hose. No person can hail us without permission, even conversation is denied us, still we have not heard that any person has been affected, although when first we arrived many strangers had children absolutely in their hands, who were afflicted with this fatally mild cough, neither had we a single grown up person who had flattered himself he has passed the whooping cough from any little sickling of the throat he may have experienced on board. Neither the plague at Smyrna or the Cholera in India made so much dreadful fuss as the cough at St. Helena, and I have been informed that to ask a person on shore to eat a bit of Cheese or an Almond, would shew as gross ignorance of the complaint, as a proffer of Onions or Rice could possibly do at Calcutta, though tempted by the profoundest Curry. I am happy however to observe that nothing can be more mild than this cough is. Parents do not wish to shew it, and the children who have passed it, have passed it mildly, and are fast obtaining European complexions. Four medical men have declared that this cough cannot be communicated by a second person. These of these are and have been on board during the Voyage, the other is that highly respected Officer who attended the Emperor in his last moments. Still we suffer; the ignorant terror on shore is such, that we are made a sacrifice to the feelings of those sellers of Silks and Cornelians, we must purchase our supplies from them which are graciously permitted to come alongside, and they are what are termed "Pigs in Pokes." Surely though Buonaparte slept here still, his spirit haunts us in this wretched Rock, by the misery he entailed on it.

His Excellency the Governor will ever be esteemed by us as he deserves, and we shall never cease to think of him, when the name of St. Helena shall irritate our grateful temper, without that high respect demanded by his exalted situation and rank. I remain, Mr. Editor, Your's Obediently,

On board the H. C. S. Marquis
of Wellington, April 5, 1822.

A PASSENGER.

Death.

We perform a melancholy duty, in repeating this well-deserved tribute to the Memory of one whom we had the happiness to number among the earliest and most faithful of our Indian Friends, and of whose public and private character we are persuaded it would be impossible to speak in terms of too great eulogy.—Ed.

At Tannah, on the morning of the 19th of May, from the effect of an accident which occurred, while assisting, with his characteristic humanity, to extinguish a fire, STEPHEN BABINGTON, Esq. of the Bombay Civil Service, in the 32d year of his age.

MR. BABINGTON arrived in India in 1808, and was successively Private Secretary to the Governor, Secretary to the Government, Judge and Magistrate of the Northern Concan, and Fourth Judge of the Court of Sudder Adawlut and Sudder Foujdary Adawlut. His progress in the Service, particularly at his outset, was marked rather by an easy and unassuming but perfect discharge of his various duties, than by any effort to distinguish himself, or to attract notice and consideration. He was eager to do well what belonged to his station: it was matter of secondary concern whether the eyes of others were turned upon him or not. He was more anxious to be useful than conspicuous. His emblem was not the torrent which rushes and frets along in its noisy course, it was rather the stream that glides on in quiet, spreading fertility and enjoyment as it flows. As a Judge, his patience, his unruffled temper, it can hardly be called command of temper, for it seemed to cost him no effort, his long suffering with the ignorance and even with the inevitable vices of those among whom he had to administer the laws in mercy, were quite exemplary. They acquired him in the first instance the confidence, and finally, combined with his unwearied benevolence, the love of all around him. He became venerated as the father of his district where his advice was a law with persons of every rank. His cool and unimpassioned judgment, his wide and accurate range of observation, his singular rectitude of understanding in all he did or thought, his sound and liberal views of public law and policy, became daily more visible; and excited the respect, not unmingled with surprise, even of many who had long known him, but who had not detected the uncommon powers of his mind under the veil thrown over them by his modesty and by the simplicity of his habits. Young as he was, he rose rapidly without envy to the very first rank in the esteem of his fellow servants, and he had hardly attained the high station that was his due, when he was torn from his friends and his country by an untimely fate. He had for some time been engaged in superintending a revision of the Regulations of this Presidency, for which his temper of mind and the extent of his knowledge eminently qualified him. The Sense entertained of his merits in that task by a Government that knows to appreciate excellence may be discovered by the terms in which his loss is commemorated, and now forms his best eulogium.

Extract of a letter to the Court of Sudder Adawlut, dated the 29th May 1822.

"PARA. 1. The Hon'ble the Governor in Council has received intelligence of the death of the Fourth Judge of your Court, Mr. Babington, while on circuit at the Northern Concan on the 19th instant, and directs me to express to you his sense of the loss which the Service has sustained by that melancholy event.

2. Mr. Babington's intelligence, patience, and knowledge of the Natives eminently qualified him for his Judicial duties: and in the more important task of revising the code, his views were as sober as extensive; his temper both firm and candid; and his judgment of what was due to the Government was not sacrificed even to his characteristic tenderness for the people."

It is still more difficult to do justice to his private than to his public virtues. A mild and cheerful benevolence pervaded and tempered the whole of his character. He was perhaps somewhat inclined to indolence, unless when he had a friend to serve or a duty to perform: His character then seemed to be changed, and all his faculties were lighted up with ardour and activity. He had nothing of selfishness in his composition; and what, in one of his warm attachments and ardent feelings is even more rare, he seemed hardly to know what resentment meant. The disagreeable occurrences that met him in life, he softened by good humoured railery, and disarmed by temper. He probably has not left a single enemy behind him. He died as he had lived, imbued with a sober and sincere sense of religion: and though called away from the prospect of honour and reputation that were inviting him, the endearments of an

affectionate family to which he was fondly attached, and the affection of friends by whom he was tenderly beloved; he resigned them all as he became a good and brave man, with unalterable firmness; not certainly without regret, but without repining.

The estimation in which a man is held may sometimes be known from slight incidents. Mr. Babington at the time of his death was only on a casual visit to Tannah in the discharge of his duty as Judge of Circuit. It was singular that so circumstanced he should have received his last summons in the midst of those among whom he had passed so many years respected and revered. The Natives of India are generally accused of coldness of temper and of ingratitude. If such be the case his singular virtues had the power to dissolve even their indifference. The inhabitants of Tannah, from the time he sustained the fatal injury, remained in crowds near the house of his friend Mr. Marriott, to which he had been carried, waiting with the keenest anxiety for intelligence regarding him, and messengers passed backward and forward to report the state of his health till he had breathed his last. The crowd then silently dispersed, but in the evening, watching the hour fixed for his funeral, they assembled to the number of several thousands, and followed his remains to the grave with every demonstration of respect and sorrow.

In the course of these remarks, we have indulged in more of private feeling than is usual on similar occasions; but we cannot consider Mr. Babington as merely a private man; his loss was felt as a public calamity wherever it was announced, even by those who knew him only by report, and spread for a period an unusual gloom over our little society. We know how inadequate what we have said is to his virtues, and to the public expectation; but we felt that we could not say less of one of the best and wisest men that England ever sent to India.—*Bombay Courier.*

Shipping Arrivals.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	From Whence	Left
June 28	Georgina	British	J. Rogers	Singapore	May 28
28 June		British	G. Sutherland	Batavia	May 26

Shipping Departures.

CALCUTTA.

Date	Names of Vessels	Flags	Commanders	Destination
June 27	Alexander	British	R. Dickie	Bencoolen

Stations of Vessels in the River.

JUNE 27, 1822.

At Diamond Harbour.—ST. THIAGO MAIOR (P.)—ROBERTS, on ward-bound, remains.—NARUDDA, proceeded down.—LIVERPOOL, outward-bound, remain.—CAMOES (P.) returning to Town.—JAMES SCOTT, and JANE, coming to Town.

Kedgerree.—SCOTIA, outward-bound, remains.

New Anchorage.—H. M. Ships TRESARD DAUNTLESS.—H. C. Ships EARL OF BALCARNAS, SIR DAVID SCOTT, and DUCHESS OF ATHOLL.

Nautical Notices.

The following extracts from private letters per the DUCHESS OF ATHOLL, have been kindly sent us by a friend. "The Ship GENERAL PALMER, Captain Truscott, bound for Madras, reached Deal on the 5th February, and put back in consequence of the heavy gale which on the 7th became a perfect hurricane.—The DAPHNE, Captain Chatfield, left Madras Roads on the 16th October, St. Helena on the 18th December, and arrived off Margate on the 5th February, and landed all her passengers in excellent health. The Ship ASTA, Captain Lindsay, diamasted off Margate in the gale of the 7th, had since returned to refit at Gravesend, and was expected to be detained there for 10 days. The Ship WILLIAM MONEY and ADRIAN were to sail for Calcutta about the 1st March; and the APOLLO, which had put back, had gone into Dock, where she was not expected to be detained beyond 14 days or 20 at the utmost, be the repairs what they might.—The PACTOLOS, Captain Greaves, from Batavia, in 100 days, arrived off Cowes on the 5th of February. She had lost ground, by contrary winds, for 9 days, which added to 14 days she was becalmed, reduces the passages to 77 days, or two months and seventeen days."—*Hurkaru.*

Birth.

On the 28th instant, Mrs. W. WALTER, of a Son.

